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PATENT
Attorney Docket No. 3385.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ron T. Shigeta, Jr.

Examiner: Christopher J. Nichols

Serial No: 10/083,853

Group Art Unit: 1647

Filing Date: February 26, 2002

Title: **Nucleic Acid Encoding
Growth Factor Protein**

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MAY 28 2003

Commissioner for Patents
Washington, D.C. 20231

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RESPONSE TO RESTRICTION REQUIREMENT

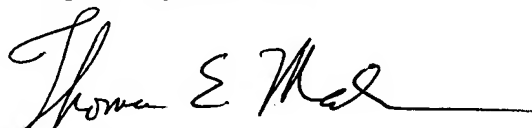
Dear Sir:

In response to the April 23, 2003 Restriction Requirement, Applicant hereby elects the claims in Group I (Claims 1-20 and 47), drawn to a method of producing a polypeptide, isolated polynucleotide comprising **SEQ ID NO: 1**, host cells, and gene delivery vehicle comprising same, classified in class 435, subclass 69.1 for example.

Applicant elects the claims in Group 1 without traverse. Applicant also reserves the right to re-present non-elected claims in a divisional or other related application.

Respectfully submitted,

Date: May 23, 2003


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PTO/SB/21 (6-98)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/083,853	
	Filing Date	February 26, 2002	
	First Named Inventor	Shigeta et al.	
	Group Art Unit	1647	
	Examiner Name	Christopher J. Nichols	
Total Number of Pages in This Submission	2	Attorney Docket Number	3385.1

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response to Restriction Requirement <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Return postcard</div>
Remarks		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Thomas E. Malone, Reg. No.: 40,078
Signature	
Date	May 23, 2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: May 23, 2003			
Typed or printed name	Sylvia Rogers		
Signature		Date	May 23, 2003

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